

115TH CONGRESS  
1ST SESSION

# S. 1353

To require States to automatically register eligible voters to vote in elections for Federal office, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 14, 2017

Mr. LEAHY (for himself, Ms. KLOBUCHAR, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

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## A BILL

To require States to automatically register eligible voters to vote in elections for Federal office, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; FINDINGS AND PURPOSE.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Automatic Voter Registration Act of 2017”.

6 (b) **FINDINGS AND PURPOSE.**—

7 (1) **FINDINGS.**—Congress finds that—

8 (A) the right to vote is a fundamental  
9 right of citizens of the United States;

1 (B) it is the responsibility of the State and  
2 Federal governments to ensure that every eligi-  
3 ble citizen is registered to vote;

4 (C) existing voter registration systems can  
5 be inaccurate, costly, inaccessible and con-  
6 fusing, with damaging effects on voter partici-  
7 pation in elections and disproportionate impacts  
8 on young people, persons with disabilities, and  
9 racial and ethnic minorities; and

10 (D) voter registration systems must be up-  
11 dated with 21st century technologies and proce-  
12 dures to maintain their security.

13 (2) PURPOSE.—It is the purpose of this Act—

14 (A) to establish that it is the responsibility  
15 of government at every level to ensure that all  
16 eligible citizens are registered to vote;

17 (B) to enable the State and Federal gov-  
18 ernments to register all eligible citizens to vote  
19 with accurate, cost-efficient, and up-to-date pro-  
20 cedures;

21 (C) to modernize voter registration and list  
22 maintenance procedures with electronic and  
23 Internet capabilities; and

1 (D) to protect and enhance the integrity,  
2 accuracy, efficiency, and accessibility of the  
3 electoral process for all eligible citizens.

4 **SEC. 2. AUTOMATIC REGISTRATION OF ELIGIBLE INDIVID-**  
5 **UALS.**

6 (a) **REQUIRING STATES TO ESTABLISH AND OPER-**  
7 **ATE AUTOMATIC REGISTRATION SYSTEM.—**

8 (1) **IN GENERAL.—**The chief State election offi-  
9 cial of each State shall establish and operate a sys-  
10 tem of automatic registration for the registration of  
11 eligible individuals to vote for elections for Federal  
12 office in the State, in accordance with the provisions  
13 of this Act.

14 (2) **DEFINITION.—**The term “automatic reg-  
15 istration” means a system that registers an indi-  
16 vidual to vote in elections for Federal office in a  
17 State, if eligible, by electronically transferring the  
18 information necessary for registration from govern-  
19 ment agencies to election officials of the State so  
20 that, unless the individual affirmatively declines to  
21 be registered, the individual will be registered to vote  
22 in such elections.

23 (b) **REGISTRATION OF VOTERS BASED ON NEW**  
24 **AGENCY RECORDS.—**The chief State election official  
25 shall—

1           (1) not later than 15 days after a contributing  
2           agency has transmitted information with respect to  
3           an individual pursuant to section 3, ensure that the  
4           individual is registered to vote in elections for Fed-  
5           eral office in the State if the individual is eligible to  
6           be registered to vote in such elections; and

7           (2) send written notice to the individual, in ad-  
8           dition to other means of notice established by this  
9           Act, of the individual's voter registration status.

10          (c) ONE-TIME REGISTRATION OF VOTERS BASED ON  
11          EXISTING CONTRIBUTING AGENCY RECORDS.—The chief  
12          State election official shall—

13           (1) identify all individuals whose information is  
14           transmitted by a contributing agency pursuant to  
15           section 4 and who are eligible to be, but are not cur-  
16           rently, registered to vote in that State;

17           (2) promptly send each such individual written  
18           notice, in addition to other means of notice estab-  
19           lished by this Act, which shall not identify the con-  
20           tributing agency that transmitted the information  
21           but shall include—

22           (A) an explanation that voter registration  
23           is voluntary, but if the individual does not de-  
24           cline registration, the individual will be reg-  
25           istered to vote;

1 (B) a statement offering the opportunity to  
2 decline voter registration through means con-  
3 sistent with the requirements of this Act;

4 (C) in the case of a State in which affili-  
5 ation or enrollment with a political party is re-  
6 quired in order to participate in an election to  
7 select the party's candidate in an election for  
8 Federal office, a statement offering the indi-  
9 vidual the opportunity to affiliate or enroll with  
10 a political party or to decline to affiliate or en-  
11 roll with a political party, through means con-  
12 sistent with the requirements of this Act;

13 (D) the substantive qualifications of an  
14 elector in the State as listed in the mail voter  
15 registration application form for elections for  
16 Federal office prescribed pursuant to section 9  
17 of the National Voter Registration Act of 1993,  
18 the consequences of false registration, and a  
19 statement that the individual should decline to  
20 register if the individual does not meet all those  
21 qualifications;

22 (E) instructions for correcting any erro-  
23 neous information; and

24 (F) instructions for providing any addi-  
25 tional information which is listed in the mail

1 voter registration application form for elections  
2 for Federal office prescribed pursuant to section  
3 9 of the National Voter Registration Act of  
4 1993;

5 (3) ensure that each such individual who is eli-  
6 gible to register to vote in elections for Federal of-  
7 fice in the State is promptly registered to vote not  
8 later than 45 days after the official sends the indi-  
9 vidual the written notice under paragraph (2), un-  
10 less, during the 30-day period which begins on the  
11 date the election official sends the individual such  
12 written notice, the individual declines registration in  
13 writing, through a communication made over the  
14 Internet, or by an officially logged telephone commu-  
15 nication; and

16 (4) send written notice to each such individual,  
17 in addition to other means of notice established by  
18 this Act, of the individual's voter registration status.

19 (d) CONTRIBUTING AGENCY DEFINED.—In this Act,  
20 the term “contributing agency” means, with respect to a  
21 State, an agency listed in section 3(e).

22 **SEC. 3. CONTRIBUTING AGENCY ASSISTANCE IN REGISTRA-**  
23 **TION.**

24 (a) IN GENERAL.—In accordance with this Act, each  
25 contributing agency in a State shall assist the State's chief

1 election official in registering to vote all eligible individuals  
2 served by that agency.

3 (b) REQUIREMENTS FOR CONTRIBUTING AGEN-  
4 CIES.—

5 (1) INSTRUCTIONS ON AUTOMATIC REGISTRA-  
6 TION.—With each application for service or assist-  
7 ance, and with each related recertification, renewal,  
8 or change of address, or, in the case of an institu-  
9 tion of higher education, with each registration of a  
10 student for enrollment in a course of study, each  
11 contributing agency that (in the normal course of its  
12 operations) requests individuals to affirm United  
13 States citizenship (either directly or as part of the  
14 overall application for service or assistance) shall in-  
15 form each such individual who is a citizen of the  
16 United States of the following:

17 (A) Unless that individual declines to reg-  
18 ister to vote, or is found ineligible to vote, the  
19 individual will be registered to vote or, if appli-  
20 cable, the individual's registration will be up-  
21 dated.

22 (B) The substantive qualifications of an  
23 elector in the State as listed in the mail voter  
24 registration application form for elections for  
25 Federal office prescribed pursuant to section 9

1 of the National Voter Registration Act of 1993,  
2 the consequences of false registration, and the  
3 individual should decline to register if the indi-  
4 vidual does not meet all those qualifications.

5 (C) In the case of a State in which affili-  
6 ation or enrollment with a political party is re-  
7 quired in order to participate in an election to  
8 select the party's candidate in an election for  
9 Federal office, the requirement that the indi-  
10 vidual must affiliate or enroll with a political  
11 party in order to participate in such an election.

12 (D) Voter registration is voluntary, and  
13 neither registering nor declining to register to  
14 vote will in any way affect the availability of  
15 services or benefits, nor be used for other pur-  
16 poses.

17 (2) OPPORTUNITY TO DECLINE REGISTRATION  
18 REQUIRED.—Each contributing agency shall ensure  
19 that each application for service or assistance, and  
20 each related recertification, renewal, or change of  
21 address, or, in the case of an institution of higher  
22 education, each registration of a student for enroll-  
23 ment in a course of study, cannot be completed until  
24 the individual is given the opportunity to decline to  
25 be registered to vote.



1           (3) INFORMATION TRANSMITTAL.—Upon the  
2           expiration of the 30-day period which begins on the  
3           date the contributing agency informs the individual  
4           of the information described in paragraph (1), each  
5           contributing agency shall electronically transmit to  
6           the appropriate State election official, in a format  
7           compatible with the statewide voter database main-  
8           tained under section 303 of the Help America Vote  
9           Act of 2002 (52 U.S.C. 21083), the following infor-  
10          mation, unless during such 30-day period the indi-  
11          vidual declined to be registered to vote:

12                   (A) The individual's given name(s) and  
13                   surname(s).

14                   (B) The individual's date of birth.

15                   (C) The individual's residential address.

16                   (D) Information showing that the indi-  
17                   vidual is a citizen of the United States.

18                   (E) The date on which information per-  
19                   taining to that individual was collected or last  
20                   updated.

21                   (F) If available, the individual's signature  
22                   in electronic form.

23                   (G) Information regarding the individual's  
24                   affiliation or enrollment with a political party,  
25                   if the individual provides such information.

1           (H) Any additional information listed in  
2           the mail voter registration application form for  
3           elections for Federal office prescribed pursuant  
4           to section 9 of the National Voter Registration  
5           Act of 1993, including any valid driver's license  
6           number or the last 4 digits of the individual's  
7           social security number, if the individual pro-  
8           vided such information.

9           (c) ALTERNATE PROCEDURE FOR CERTAIN CON-  
10          TRIBUTING AGENCIES.—With each application for service  
11          or assistance, and with each related recertification, re-  
12          newal, or change of address, or in the case of an institu-  
13          tion of higher education, with each registration of a stu-  
14          dent for enrollment in a course of study, any contributing  
15          agency that in the normal course of its operations does  
16          not request individuals applying for service or assistance  
17          to affirm United States citizenship (either directly or as  
18          part of the overall application for service or assistance)  
19          shall—

20                 (1) complete the requirements of section 7(a)(6)  
21                 of the National Voter Registration Act of 1993 (52  
22                 U.S.C. 20506(a)(6));

23                 (2) ensure that each applicant's transaction  
24                 with the agency cannot be completed until the appli-  
25                 cant has indicated whether the applicant wishes to

1 register to vote or declines to register to vote in elec-  
2 tions for Federal office held in the State; and

3 (3) for each individual who wishes to register to  
4 vote, transmit that individual's information in ac-  
5 cordance with subsection (b)(3).

6 (d) REQUIRED AVAILABILITY OF AUTOMATIC REG-  
7 ISTRATION OPPORTUNITY WITH EACH APPLICATION FOR  
8 SERVICE OR ASSISTANCE.—Each contributing agency  
9 shall offer each individual, with each application for serv-  
10 ice or assistance, and with each related recertification, re-  
11 newal, or change of address, or in the case of an institu-  
12 tion of higher education, with each registration of a stu-  
13 dent for enrollment in a course of study, the opportunity  
14 to register to vote as prescribed by this section without  
15 regard to whether the individual previously declined a reg-  
16 istration opportunity.

17 (e) CONTRIBUTING AGENCIES.—

18 (1) STATE AGENCIES.—In each State, each of  
19 the following agencies shall be treated as a contrib-  
20 uting agency:

21 (A) Each agency in a State that is re-  
22 quired by Federal law to provide voter registra-  
23 tion services, including the State motor vehicle  
24 authority and other voter registration agencies

1 under the National Voter Registration Act of  
2 1993.

3 (B) Each agency in a State that admin-  
4 isters a program pursuant to title III of the So-  
5 cial Security Act (42 U.S.C. 501 et seq.), title  
6 XIX of the Social Security Act (42 U.S.C. 1396  
7 et seq.), or the Patient Protection and Afford-  
8 able Care Act (Public Law 111–148).

9 (C) Each State agency primarily respon-  
10 sible for regulating the private possession of  
11 firearms.

12 (D) Each State agency primarily respon-  
13 sible for maintaining identifying information for  
14 students enrolled at public secondary schools,  
15 including, where applicable, the State agency  
16 responsible for maintaining the education data  
17 system described in section 6201(e)(2) of the  
18 America COMPETES Act (20 U.S.C.  
19 9871(e)(2)).

20 (E) In the case of a State in which an in-  
21 dividual disenfranchised by a criminal convic-  
22 tion may become eligible to vote upon comple-  
23 tion of a criminal sentence or any part thereof,  
24 or upon formal restoration of rights, the State  
25 agency responsible for administering that sen-

1           tence, or part thereof, or that restoration of  
2           rights.

3           (F) Any other agency of the State which is  
4           designated by the State as a contributing agen-  
5           cy.

6           (2) FEDERAL AGENCIES.—In each State, each  
7           of the following agencies of the Federal Government  
8           shall be treated as a contributing agency with re-  
9           spect to individuals who are residents of that State  
10          (except as provided in subparagraph (C)):

11           (A) The Social Security Administration,  
12           the Department of Veterans Affairs, the De-  
13           fense Manpower Data Center of the Depart-  
14           ment of Defense, the Employee and Training  
15           Administration of the Department of Labor,  
16           and the Centers for Medicare & Medicaid Serv-  
17           ices of the Department of Health and Human  
18           Services.

19           (B) The Bureau of Citizenship and Immi-  
20           gration Services, but only with respect to indi-  
21           viduals who have completed the naturalization  
22           process.

23           (C) In the case of an individual who is a  
24           resident of a State in which an individual  
25           disenfranchised by a criminal conviction under

1 Federal law may become eligible to vote upon  
2 completion of a criminal sentence or any part  
3 thereof, or upon formal restoration of rights,  
4 the Federal agency responsible for admin-  
5 istering that sentence or part thereof (without  
6 regard to whether the agency is located in the  
7 same State in which the individual is a resi-  
8 dent), but only with respect to individuals who  
9 have completed the criminal sentence or any  
10 part thereof.

11 (D) Any other agency of the Federal Gov-  
12 ernment which the State designates as a con-  
13 tributing agency, but only if the State and the  
14 head of the agency determine that the agency  
15 collects information sufficient to carry out the  
16 responsibilities of a contributing agency under  
17 this section.

18 (3) INSTITUTIONS OF HIGHER EDUCATION.—  
19 Each institution of higher education that receives  
20 Federal funds shall be treated as a contributing  
21 agency in the State in which it is located, but only  
22 with respect to students of the institution (including  
23 students who attend classes online) who reside in the  
24 State. An institution of higher education described  
25 in the previous sentence shall be exempt from the

1 voter registration requirements of section 487(a)(23)  
2 of the Higher Education Act of 1965 (20 U.S.C.  
3 1094(a)(23)) if the institution is in compliance with  
4 the applicable requirements of this Act.

5 (4) PUBLICATION.—Not later than 180 days  
6 prior to the date of each election for Federal office  
7 held in the State, the chief State election official  
8 shall publish on the public website of the official an  
9 updated list of all contributing agencies in that  
10 State.

11 (5) PUBLIC EDUCATION.—The chief State elec-  
12 tion official of each State, in collaboration with each  
13 contributing agency, shall take appropriate measures  
14 to educate the public about voter registration under  
15 this section.

16 **SEC. 4. ONE-TIME CONTRIBUTING AGENCY ASSISTANCE IN**  
17 **REGISTRATION OF ELIGIBLE VOTERS IN EX-**  
18 **ISTING RECORDS.**

19 (a) INITIAL TRANSMITTAL OF INFORMATION.—For  
20 each individual already listed in a contributing agency's  
21 records as of the date of enactment of this Act, and for  
22 whom the agency has the information listed in section  
23 3(b)(3), the agency shall promptly transmit that informa-  
24 tion to the appropriate State election official in accordance

1 with section 3(b)(3) not later than the effective date de-  
2 scribed in section 11(a).

3 (b) TRANSITION.—For each individual listed in a con-  
4 tributing agency’s records as of the effective date de-  
5 scribed in section 11(a) (but who was not listed in a con-  
6 tributing agency’s records as of the date of enactment of  
7 this Act), and for whom the agency has the information  
8 listed in section 3(b)(3), the Agency shall promptly trans-  
9 mit that information to the appropriate State election offi-  
10 cial in accordance with section 3(b)(3) not later than 6  
11 months after the effective date described in section 11(a).

12 **SEC. 5. VOTER PROTECTION AND SECURITY IN AUTOMATIC**  
13 **REGISTRATION.**

14 (a) PROTECTIONS FOR ERRORS IN REGISTRATION.—  
15 An individual shall not be prosecuted under any Federal  
16 law, adversely affected in any civil adjudication concerning  
17 immigration status or naturalization, or subject to an alle-  
18 gation in any legal proceeding that the individual is not  
19 a citizen of the United States on any of the following  
20 grounds:

21 (1) The individual notified an election office of  
22 the individual’s automatic registration to vote under  
23 this Act.



1           (2) The individual is not eligible to vote in elec-  
2           tions for Federal office but was automatically reg-  
3           istered to vote under this Act.

4           (3) The individual was automatically registered  
5           to vote under this Act at an incorrect address.

6           (4) The individual declined the opportunity to  
7           register to vote or did not make an affirmation of  
8           citizenship, including through automatic registration,  
9           under this Act.

10       (b) LIMITS ON USE OF AUTOMATIC REGISTRA-  
11       TION.—The automatic registration of any individual or the  
12       fact that an individual declined the opportunity to register  
13       to vote or did not make an affirmation of citizenship (in-  
14       cluding through automatic registration) under this Act  
15       may not be used as evidence against that individual in any  
16       State or Federal law enforcement proceeding, and an indi-  
17       vidual's lack of knowledge or willfulness of such registra-  
18       tion may be demonstrated by the individual's testimony  
19       alone.

20       (c) PROTECTION OF ELECTION INTEGRITY.—Noth-  
21       ing in subsection (a) or (b) may be construed to prohibit  
22       or restrict any action under color of law against an indi-  
23       vidual who—

1           (1) knowingly and willfully makes a false state-  
2           ment to effectuate or perpetuate automatic voter  
3           registration by any individual; or

4           (2) casts a ballot knowingly and willfully in vio-  
5           lation of State law or the laws of the United States.

6           (d) CONTRIBUTING AGENCIES' PROTECTION OF IN-  
7           FORMATION.—Nothing in this Act authorizes a contrib-  
8           uting agency to collect, retain, transmit, or publicly dis-  
9           close any of the following:

10           (1) An individual's decision to decline to reg-  
11           ister to vote or not to register to vote.

12           (2) An individual's decision not to affirm his or  
13           her citizenship.

14           (3) Any information that a contributing agency  
15           transmits pursuant to section 3(b)(3), except in pur-  
16           suing the agency's ordinary course of business.

17           (e) ELECTION OFFICIALS' PROTECTION OF INFOR-  
18           MATION.—

19           (1) PUBLIC DISCLOSURE PROHIBITED.—

20           (A) IN GENERAL.—Subject to subpara-  
21           graph (B), with respect to any individual for  
22           whom any State election official receives infor-  
23           mation from a contributing agency, the State  
24           election officials shall not publicly disclose any  
25           of the following:

1 (i) The identity of the contributing  
2 agency.

3 (ii) Any information not necessary to  
4 voter registration.

5 (iii) Any voter information otherwise  
6 shielded from disclosure under State law or  
7 section 8(a) of the National Voter Reg-  
8 istration Act of 1993 (52 U.S.C.  
9 20507(a)).

10 (iv) Any portion of the individual's so-  
11 cial security number.

12 (v) Any portion of the individual's  
13 motor vehicle driver's license number.

14 (vi) The individual's signature.

15 (vii) The individual's telephone num-  
16 ber.

17 (viii) The individual's email address.

18 (B) SPECIAL RULE FOR INDIVIDUALS REG-  
19 ISTERED TO VOTE.—With respect to any indi-  
20 vidual for whom any State election official re-  
21 ceives information from a contributing agency  
22 and who, on the basis of such information, is  
23 registered to vote in the State under this Act,  
24 the State election officials shall not publicly dis-  
25 close any of the following:

1 (i) The identity of the contributing  
2 agency.

3 (ii) Any information not necessary to  
4 voter registration.

5 (iii) Any voter information otherwise  
6 shielded from disclosure under State law or  
7 section 8(a) of the National Voter Reg-  
8 istration Act of 1993 (52 U.S.C.  
9 20507(a)).

10 (iv) Any portion of the individual's so-  
11 cial security number.

12 (v) Any portion of the individual's  
13 motor vehicle driver's license number.

14 (vi) The individual's signature.

15 (2) VOTER RECORD CHANGES.—Each State  
16 shall maintain for at least 2 years and shall make  
17 available for public inspection and, where available,  
18 photocopying at a reasonable cost, all records of  
19 changes to voter records, including removals and up-  
20 dates.

21 (3) DATABASE MANAGEMENT STANDARDS.—  
22 The Director of the National Institute of Standards  
23 and Technology shall, after providing the public with  
24 notice and the opportunity to comment—

1 (A) establish standards governing the com-  
2 parison of data for voter registration list main-  
3 tenance purposes, identifying as part of such  
4 standards the specific data elements, the  
5 matching rules used, and how a State may use  
6 the data to determine and deem that an indi-  
7 vidual is ineligible under State law to vote in an  
8 election, or to deem a record to be a duplicate  
9 or outdated;

10 (B) ensure that the standards developed  
11 pursuant to this paragraph are uniform and  
12 nondiscriminatory and are applied in a uniform  
13 and nondiscriminatory manner; and

14 (C) publish the standards developed pursu-  
15 ant to this paragraph on the Director's website  
16 and make those standards available in written  
17 form upon request.

18 (4) SECURITY POLICY.—The Director of the  
19 National Institute of Standards and Technology  
20 shall, after providing the public with notice and the  
21 opportunity to comment, publish privacy and secu-  
22 rity standards for voter registration information.  
23 The standards shall require the chief State election  
24 official of each State to adopt a policy that shall  
25 specify—

1 (A) each class of users who shall have au-  
2 thorized access to the computerized statewide  
3 voter registration list, specifying for each class  
4 the permission and levels of access to be grant-  
5 ed, and setting forth other safeguards to pro-  
6 tect the privacy, security, and accuracy of the  
7 information on the list; and

8 (B) security safeguards to protect personal  
9 information transmitted through the informa-  
10 tion transmittal processes of section 3 or sec-  
11 tion 4, the online system used pursuant to sec-  
12 tion 7, any telephone interface, the maintenance  
13 of the voter registration database, and any  
14 audit procedure to track access to the system.

15 (5) STATE COMPLIANCE WITH NATIONAL  
16 STANDARDS.—

17 (A) CERTIFICATION.—The chief executive  
18 officer of the State shall annually file with the  
19 Election Assistance Commission a statement  
20 certifying to the Director of the National Insti-  
21 tute of Standards and Technology that the  
22 State is in compliance with the standards re-  
23 ferred to in paragraphs (4) and (5). A State  
24 may meet the requirement of the previous sen-  
25 tence by filing with the Commission a statement

1 which reads as follows: “\_\_\_\_\_ hereby  
2 certifies that it is in compliance with the stand-  
3 ards referred to in paragraphs (4) and (5) of  
4 section 5(e) of the Automatic Voter Registra-  
5 tion Act of 2017.” (with the blank to be filled  
6 in with the name of the State involved).

7 (B) PUBLICATION OF POLICIES AND PRO-  
8 CEDURES.—The chief State election official of a  
9 State shall publish on the official’s website the  
10 policies and procedures established under this  
11 section, and shall make those policies and pro-  
12 cedures available in written form upon public  
13 request.

14 (C) FUNDING DEPENDENT ON CERTIFI-  
15 CATION.—If a State does not timely file the cer-  
16 tification required under this paragraph, it shall  
17 not receive any payment under this Act for the  
18 upcoming fiscal year.

19 (D) COMPLIANCE OF STATES THAT RE-  
20 QUIRE CHANGES TO STATE LAW.—In the case  
21 of a State that requires State legislation to  
22 carry out an activity covered by any certifi-  
23 cation submitted under this paragraph, for a  
24 period of not more than 2 years the State shall  
25 be permitted to make the certification notwith-

1 standing that the legislation has not been en-  
2 acted at the time the certification is submitted,  
3 and such State shall submit an additional cer-  
4 tification once such legislation is enacted.

5 (f) RESTRICTIONS ON USE OF INFORMATION.—No  
6 person acting under color of law may discriminate against  
7 any individual based on, or use for any purpose other than  
8 voter registration, election administration, or enforcement  
9 relating to election crimes, any of the following:

10 (1) Voter registration records.

11 (2) An individual's declination to register to  
12 vote or complete an affirmation of citizenship under  
13 section 3(b).

14 (3) An individual's voter registration status.

15 (g) PROHIBITION ON THE USE OF VOTER REGISTRA-  
16 TION INFORMATION FOR COMMERCIAL PURPOSES.—In-  
17 formation collected under this Act shall not be used for  
18 commercial purposes. Nothing in this subsection may be  
19 construed to prohibit the transmission, exchange, or dis-  
20 semination of information for political purposes, including  
21 the support of campaigns for election for Federal, State,  
22 or local public office or the activities of political commit-  
23 tees (including committees of political parties) under the  
24 Federal Election Campaign Act of 1971.



1 **SEC. 6. REGISTRATION PORTABILITY AND CORRECTION.**

2 (a) CORRECTING REGISTRATION INFORMATION AT  
3 POLLING PLACE.—Notwithstanding section 302(a) of the  
4 Help America Vote Act of 2002 (52 U.S.C. 21082(a)), if  
5 an individual is registered to vote in elections for Federal  
6 office held in a State, the appropriate election official at  
7 the polling place for any such election (including a location  
8 used as a polling place on a date other than the date of  
9 the election) shall permit the individual to—

10 (1) update the individual’s address for purposes  
11 of the records of the election official;

12 (2) correct any incorrect information relating to  
13 the individual, including the individual’s name and  
14 political party affiliation, in the records of the elec-  
15 tion official; and

16 (3) cast a ballot in the election on the basis of  
17 the updated address or corrected information, and to  
18 have the ballot treated as a regular ballot and not  
19 as a provisional ballot under section 302(a) of such  
20 Act.

21 (b) UPDATES TO COMPUTERIZED STATEWIDE VOTER  
22 REGISTRATION LISTS.—If an election official at the poll-  
23 ing place receives an updated address or corrected infor-  
24 mation from an individual under subsection (a), the offi-  
25 cial shall ensure that the address or information is  
26 promptly entered into the computerized statewide voter

1 registration list in accordance with section  
2 303(a)(1)(A)(vi) of the Help America Vote Act of 2002  
3 (52 U.S.C. 21083(a)(1)(A)(vi)).

4 **SEC. 7. ONLINE REGISTRATION.**

5 (a) IN GENERAL.—Each State shall ensure that the  
6 following services are available on the official public  
7 websites of the appropriate State election officials:

8 (1) Application for or update to voter registra-  
9 tion using an electronic version of the mail voter  
10 registration application form the Election Assistance  
11 Commission prescribes, and any additional voter reg-  
12 istration form the State develops pursuant to section  
13 6(a) of the National Voter Registration Act of 1993  
14 (52 U.S.C. 20505(a)).

15 (2) Completion of a printable version of the  
16 mail voter registration application form the Election  
17 Assistance Commission prescribes, and any addi-  
18 tional voter registration form the State develops pur-  
19 suant to section 6(a) of the National Voter Registra-  
20 tion Act of 1993 (52 U.S.C. 20505(a)).

21 (3) Correction of voter registration.

22 (4) Designation of political party affiliation,  
23 where applicable.

24 (5) Cancellation of registration and removal  
25 from the voter rolls.

1           (6) Declination of any automatic registration.

2           (b) SIGNATURE REQUIREMENTS.—The appropriate  
3 State election official shall accept an online voter registra-  
4 tion application and register each eligible individual to  
5 vote if the application provides a signature by any of the  
6 following:

7           (1) In the case of an individual who has a sig-  
8 nature on file with a State agency, including the  
9 State motor vehicle authority, that is required to  
10 provide voter registration services by the National  
11 Voter Registration Act of 1993 (52 U.S.C. 20501 et  
12 seq.), the individual consents to the transfer of that  
13 electronic signature.

14           (2) The individual submits with the application  
15 an electronic copy of the individual's handwritten  
16 signature.

17           (3) If the State chooses to accept it, the indi-  
18 vidual's execution of a computerized mark in the sig-  
19 nature field on an online voter registration applica-  
20 tion.

21           (4) The individual otherwise completes registra-  
22 tion under this section and provides a signature at  
23 the time of casting a ballot in an election or at the  
24 time of applying for a ballot (including an absentee  
25 ballot) in an upcoming election. The online system

1 and disposition notice sent to any individual pursu-  
2 ant to this paragraph must inform the individual of  
3 the process for providing a signature.

4 (c) INTERAGENCY TRANSMISSION OF ELECTRONIC  
5 SIGNATURES.—Each State agency that is required by the  
6 National Voter Registration Act of 1993 (52 U.S.C.  
7 20501 et seq.) to provide voter registration services, in-  
8 cluding the State motor vehicle authority, shall electroni-  
9 cally transmit to the appropriate State election official the  
10 signature of any individual who has a signature on file  
11 with the agency and who consents to the transfer of that  
12 electronic signature under subsection (b)(1).

13 (d) PRE-ELECTION CORRECTION.—Any correction to  
14 the statewide voter registration database pursuant to this  
15 section that is made no later than the lesser of thirty days,  
16 or the period State law provides, before a Federal election  
17 shall be effective for purposes of that Federal election and  
18 succeeding elections.

19 (e) ACCESSIBILITY OF SERVICES.—Each State shall  
20 ensure that all of the services provided under this section  
21 are provided in a manner accessible to individuals with  
22 disabilities.

1 **SEC. 8. PAYMENTS AND GRANTS.**

2 (a) IN GENERAL.—The Election Assistance Commis-  
3 sion shall make grants to each eligible State to assist the  
4 State in implementing the requirements of this Act.

5 (b) ELIGIBILITY; APPLICATION.—A State is eligible  
6 to receive a grant under this section if the State submits  
7 to the Commission, at such time and in such form as the  
8 Commission may require, an application containing—

9 (1) a description of the activities the State will  
10 carry out with the grant;

11 (2) an assurance that the State shall carry out  
12 such activities without partisan bias and without  
13 promoting any particular point of view regarding  
14 any issue; and

15 (3) such other information and assurances as  
16 the Commission may require.

17 (c) AMOUNT OF GRANT; PRIORITIES.—The Commis-  
18 sion shall determine the amount of a grant made to an  
19 eligible State under this section. In determining the  
20 amounts of the grants, the Commission shall give priority  
21 to providing funds for those activities which are most like-  
22 ly to accelerate compliance with the requirements of this  
23 Act, including—

24 (1) investments supporting electronic informa-  
25 tion transfer, including electronic collection and

1 transfer of signatures, between contributing agencies  
2 and the appropriate State election officials;

3 (2) updates to online or electronic voter reg-  
4 istration systems already operating as of the date of  
5 the enactment of this Act;

6 (3) introduction of online voter registration sys-  
7 tems in jurisdictions in which those systems did not  
8 previously exist; and

9 (4) public education on the availability of new  
10 methods of registering to vote, updating registration,  
11 and correcting registration.

12 (d) AUTHORIZATION OF APPROPRIATIONS.—

13 (1) AUTHORIZATION.—There are authorized to  
14 be appropriated to carry out this section—

15 (A) \$500,000,000 for fiscal year 2018; and

16 (B) such sums as may be necessary for  
17 each succeeding fiscal year.

18 (2) CONTINUING AVAILABILITY OF FUNDS.—

19 Any amounts appropriated pursuant to the authority  
20 of this subsection shall remain available without fis-  
21 cal year limitation until expended.

22 **SEC. 9. MISCELLANEOUS PROVISIONS.**

23 (a) ACCESSIBILITY OF REGISTRATION SERVICES.—

24 Each contributing agency shall ensure that the services  
25 it provides under this Act are made available to individuals

1 with disabilities to the same extent as services are made  
2 available to all other individuals.

3 (b) TRANSMISSION THROUGH SECURE THIRD PARTY  
4 PERMITTED.—Nothing in this Act shall be construed to  
5 prevent a contributing agency from contracting with a  
6 third party to assist the agency in meeting the information  
7 transmittal requirements of this Act, so long as the data  
8 transmittal complies with the applicable requirements of  
9 this Act, including the privacy and security provisions of  
10 section 5.

11 (c) NONPARTISAN, NONDISCRIMINATORY PROVISION  
12 OF SERVICES.—The services made available by contrib-  
13 uting agencies under this Act and by the State under sec-  
14 tions 6 and 7 shall be made in a manner consistent with  
15 paragraphs (4), (5), and (6)(C) of section 7(a) of the Na-  
16 tional Voter Registration Act of 1993 (52 U.S.C.  
17 20506(a)).

18 (d) NOTICES.—Each State may send notices under  
19 this Act via electronic mail if the individual has provided  
20 an electronic mail address and consented to electronic mail  
21 communications for election-related materials. All notices  
22 sent pursuant to this Act that require a response must  
23 offer the individual notified the opportunity to respond at  
24 no cost to the individual.

1 (e) ENFORCEMENT.—Section 11 of the National  
2 Voter Registration Act of 1993 (52 U.S.C. 20510), relat-  
3 ing to civil enforcement and the availability of private  
4 rights of action, shall apply with respect to this Act in  
5 the same manner as such section applies to such Act.

6 (f) RELATION TO OTHER LAWS.—Except as pro-  
7 vided, nothing in this Act may be construed to authorize  
8 or require conduct prohibited under, or to supersede, re-  
9 strict, or limit the application of any of the following:

10 (1) The Voting Rights Act of 1965 (52 U.S.C.  
11 10301 et seq.).

12 (2) The Uniformed and Overseas Citizens Ab-  
13 sentee Voting Act (52 U.S.C. 20301 et seq.).

14 (3) The National Voter Registration Act of  
15 1993 (52 U.S.C. 20501 et seq.).

16 (4) The Help America Vote Act of 2002 (52  
17 U.S.C. 20901 et seq.).

18 **SEC. 10. DEFINITIONS.**

19 In this Act, the following definitions apply:

20 (1) The term “chief State election official”  
21 means, with respect to a State, the individual des-  
22 ignated by the State under section 10 of the Na-  
23 tional Voter Registration Act of 1993 (52 U.S.C.  
24 20509) to be responsible for coordination of the  
25 State’s responsibilities under such Act.



1           (2) The term “Commission” means the Election  
2 Assistance Commission.

3           (3) The term “State” means each of the several  
4 States and the District of Columbia.

5 **SEC. 11. EFFECTIVE DATE.**

6           (a) IN GENERAL.—Except as provided in subsection  
7 (b), this Act and the amendments made by this Act shall  
8 apply with respect to a State beginning January 1, 2019.

9           (b) WAIVER.—Subject to the approval of the Com-  
10 mission, if a State certifies to the Commission that the  
11 State will not meet the deadline referred to in subsection  
12 (a) because of extraordinary circumstances and includes  
13 in the certification the reasons for the failure to meet the  
14 deadline, subsection (a) shall apply to the State as if the  
15 reference in such subsection to “January 1, 2019” were  
16 a reference to “January 1, 2021”.

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